

***IN THE SUPREME COURT, STATE OF WYOMING***

*October Term, A.D. 2021*

***In the Matter of Amendments to*** )  
***Rules 2, 3, and 4 of the Wyoming*** )  
***Rules of Civil Procedure for the*** )  
***Chancery Court*** )

# ORDER AMENDING RULES 2, 3, AND 4 OF THE WYOMING RULES OF CIVIL PROCEDURE FOR THE CHANCERY COURT

**The Chancery Court Committee** has recommended the Court amend Rule 3 of the Wyoming Rules of Civil Procedure for the Chancery Court. This Court finds the proposed amendments should be adopted. The Court also finds it should amend Rules 2 and 4. It is, therefore,

**ORDERED** that the amendments to Rules 2, 3, and 4 of the Wyoming Rules of Civil Procedure for the Chancery Court, attached hereto, be, and hereby are, adopted by the Court to be effective March 1, 2022; and it is further

**ORDERED** that this order and the attached amendments be published in the advance sheets of the Pacific Reporter; the attached amendments be published in the Wyoming Court Rules Volume; and that this order and the attached amendments be published online at the Wyoming Judicial Branch’s website, <http://www.courts.state.wy.us>, on the “Rule Amendments” page. The amendments shall also be recorded in the journal of this Court.

**DATED** this 21<sup>st</sup> day of December, 2021.

**BY THE COURT:**

/s/

**KATE M. FOX**  
**Chief Justice**

## Wyoming Rules of Civil Procedure for the Chancery Court

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### Rule 2. Jurisdiction, Eligible Actions, Excluded Action.

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(b) Eligible Actions. \*\*\*\*\*

(14) Transactions governed by the Wyoming Uniform Trust Code; ~~or~~

(15) Applications to stay or compel arbitration and affirm or disaffirm arbitration awards and related injunctive relief or appeals pursuant to W.S. § 1-21-801 through 1-21-804 or 1-36-101 through 1-36-119, involving any of the foregoing enumerated issues. Where any applicable arbitration agreement provides for an arbitration to be heard outside the United States, the monetary threshold set forth in paragraph (b) of this rule shall not apply; ~~and~~

(16) A dispute concerning a trademark, trade name or service mark. The monetary threshold set forth in paragraph (b) of this rule shall not apply to actions brought under this subparagraph.

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### Rule 3. Commencement of Action, Removal to Chancery Court, and Objection and Dismissal.

(a) *Original Filing in Chancery Court.* A civil action is commenced in the chancery court when service is completed upon all defendants, pursuant to Rule 4. A civil action is “brought” for statute of limitations purposes upon filing the initial pleading in chancery court. If any party files an objection to having the matter proceed in chancery court on or before the date its first pleading is due, the chancery court shall enter its order dismissing the case without prejudice. An objection to proceeding in chancery court is waived if not brought within the time periods in this rule. A dismissal of a case in chancery court is subject to W.S. § 1-3-118. Notwithstanding any objection brought under this rule, the chancery court may enforce a valid contract designating the chancery court as the forum to resolve disputes meeting the eligibility requirements of W.S. § 5-13-115.

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### Rule 4. Summons.

(a) *Contents.* A summons must: \*\*\*\*\*

(6) attach a copy or include the language of Rule 5(~~d~~ c)(2);

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